

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Thursday, October 22, 2015
Place: Department B – Courtroom #13
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

9:00 A.M.

1.	<u>15-10257</u> -B-7	JUAN CALVILLO	CONTINUED STATUS CONFERENCE RE:
	<u>15-1088</u>		COMPLAINT
	U.S. TRUSTEE V. CALVILLO		7-10-15 [<u>1</u>]
	TERRI DIDION/Atty. for pl.		

Based on the U.S. Trustee's status report, this matter will be continued to November 10, 2015, at 9:00 a.m., to be heard with the U.S. Trustee's motion to approve a settlement agreement. The court will prepare a minute order. No appearance is necessary.

10:00 A.M.

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|---|--|
| 1. <u>08-12604</u> -B-7 JULIE AVILA
DMG-2
JULIE AVILA/MV
D. GARDNER/Atty. for dbt. | MOTION TO AVOID LIEN OF AQUA
FIANCE, INC.
9-8-15 [<u>19</u>] |
|---|--|

The motion will be continued to November 5, 2015, at 10:00 a.m., on the Bakersfield calendar. The form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(d) (2) and needs to be amended (see Local Rules, Appendix II, EDC.002-901, Revised Guidelines for the Preparation of Documents (5)). The court will prepare a minute order. No appearance is necessary.

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| 2. <u>14-16111</u> -B-7 RICHARD WILLIAMS-OBANION
SJS-2
RICHARD WILLIAMS-OBANION/MV

SCOTT SAGARIA/Atty. for dbt. | MOTION FOR SANCTIONS FOR
VIOLATION OF THE DISCHARGE
INJUNCTION
8-14-15 [<u>26</u>] |
|--|---|

The motion will be deemed withdrawn without prejudice. The purported re-notice does not comply with Local Bankruptcy Rule 9014-1(j) requiring court approval of a continuance. The re-noticed hearing on December 2, 2015, will be dropped from calendar. The court will issue a minute order. No appearance is necessary.

In addition, the record does not establish that either the motion or the amended motion was served on the named respondent, Portfolio Recovery Associates, LLC, in compliance with Federal Rule of Bankruptcy Procedure 7004(b) (1) (service on an individual), 7004(b) (3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Service on a member of the board of directors of a limited liability company does not constitute service on the LLC. Information regarding service on a corporation or LLC may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

The court notes that the only violation of the discharge injunction alleged in the motion is the July 9, 2015, letter from respondent Portfolio Recovery Associates, LLC, attached to the motion as an exhibit and identified as a "collection notice." This letter, however, specifically states on its face that it is being sent to provide information in response to an inquiry and that it is not an attempt to collect a debt.

Finally, the movant has presented no evidence that Portfolio Recovery Associates, LLC, is the agent of Wells Fargo.

3. [15-12416](#)-B-7 JAMES/PAMELA COX
PPR-1
THE BANK OF NEW YORK MELLON/MV
MARIO LANGONE/Atty. for dbt.
SAMYEL GESHGIAN/Atty. for mv.
DISCHARGED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
9-16-15 [[14](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtors because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5. If the notice and motion requested a waiver of Federal Rule of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

4. [15-13125](#)-B-7 MARIA SANTANA
CJO-1
DITECH FINANCIAL LLC/MV
MICHAEL ARNOLD/Atty. for dbt.
CHRISTINA O/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
9-22-15 [[10](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor's default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

5. [15-13427](#)-B-7 ANGELO/MERRI PINTOR
CJO-1
BANK OF AMERICA, N.A./MV
DAVID JENKINS/Atty. for dbt.
CHRISTINA O/Atty. for mv.

AMENDED MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-1-15 [[18](#)]

6. [15-11256](#)-B-7 SUPASIRI/SHAUNA
SJS-2 SIRAYANONE
SUPASIRI SIRAYANONE/MV
SCOTT SAGARIA/Atty. for dbt.
WITHDRAWN

MOTION FOR SANCTIONS FOR
VIOLATION OF THE AUTOMATIC STAY
7-17-15 [[22](#)]

The matter has been withdrawn. No appearance is necessary.

7. [15-10257](#)-B-7 JUAN CALVILLO
DJP-1
EDUCATIONAL EMPLOYEES CREDIT
UNION/MV
MARK ZIMMERMAN/Atty. for dbt.
DON POOL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-6-15 [[41](#)]

8. [15-12362](#)-B-7 MATHEW RODRIGUEZ

OPPOSITION/OBJECTION TO CHAPTER
7 TRUSTEE'S REPORT OF NO
DISTRIBUTION
9-25-15 [[28](#)]

TIMOTHY SPRINGER/Atty. for dbt.

9. [14-11065](#)-B-7 STEVEN/CISSY CORBITT
JES-1
JAMES SALVEN/MV
LEONARD WELSH/Atty. for dbt.

OBJECTION TO CLAIM OF FOSTER
FARMS INC., CLAIM NUMBER 5
8-31-15 [[49](#)]

The objection will be overruled without prejudice. The objection was not served on the claimant at the address set forth in the proof of claim pursuant to Federal Rules of Bankruptcy Procedure 3007.

In addition, the form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(d)(2) (see Local Rules, Appendix II, EDC.002-901, Revised Guidelines for the Preparation of Documents (5)). The court will prepare a minute order. No appearance is necessary.

10. [15-13169](#)-B-7 KEITH ENBERG
TMT-1

OPPOSITION RE: TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING
OF CREDITORS
9-17-15 [[9](#)]

This matter will be continued to October 29, 2015, at 10:00 a.m. If the debtor does not appear at the §341 continued meeting of creditors on October 26, 2015, the case will be dismissed on the trustee's declaration. If the debtor does appear at the continued §341, the trustee shall withdraw the motion to dismiss. The court will prepare a minute order. No appearance is necessary.

11. [15-13581](#)-B-7 ALAN WAGONER AND
APN-1 JACQUELINE WILSON
GATEWAY ONE LENDING &
FINANCE/MV
ROSALINA NUNEZ/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
9-17-15 [[14](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtors' default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

12. [15-13295](#)-B-7 CRISTIANO/MARIA MEDEIROS
SW-1
ALLY FINANCIAL/MV
TORIANA HOLMES/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-1-15 [[17](#)]

13. [15-13467](#)-B-7 ANNA VARTANIAN
DJP-1
EDUCATIONAL EMPLOYEES CREDIT
UNION/MV
MICHAEL ARNOLD/Atty. for dbt.
DON POOL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-8-15 [[9](#)]

11:00 A.M.

1. [15-12902](#)-B-7 MISAEL AGUAYO

REAFFIRMATION AGREEMENT WITH
ALLY FINANCIAL
9-16-15 [[10](#)]

JOHN BIANCO/Atty. for dbt.

The reaffirmation agreement is incomplete and does not meet the requirements of 11 U.S.C. § 524. Part D, Debtors Statement in Support of Reaffirmation Agreement, does not include the required financial information upon which the court can make a determination of whether the agreement presents an undue hardship. It is therefore not enforceable against the debtors and cannot be approved. *In re Lopez*, 274 B.R. 854, 861-62 (9th Cir. BAP 2002), *aff'd*, 345 F.3d 701 (9th Cir. CA 2003). The hearing will be dropped from calendar. The Debtor shall have 14 days to refile the reaffirmation agreement with the required financial information. No appearance is necessary at this hearing.

2. [15-13295](#)-B-7 CRISTIANO/MARIA MEDEIROS

PRO SE REAFFIRMATION AGREEMENT
WITH TUCOEMAS FEDERAL CREDIT
UNION
10-1-15 [[14](#)]

1:30 P.M.

1. [09-61410](#)-B-13 ANTHONY/NICOLE DEMERA STATUS CONFERENCE RE: COMPLAINT
[15-1103](#) 8-18-15 [[1](#)]
DEMER ET AL V. MORTGAGE
ELECTRONIC REGISTRATION
GABRIEL WADDELL/Atty. for pl.
2. [12-18413](#)-B-13 WILMA AMASON CONTINUED MOTION TO SELL
RSW-1 9-16-15 [[49](#)]
WILMA AMASON/MV
ROBERT WILLIAMS/Atty. for dbt.
3. [15-12326](#)-B-13 FRED/EVA ARREOLA MOTION TO MODIFY PLAN
FLG-2 9-9-15 [[31](#)]
FRED ARREOLA/MV
PETER FEAR/Atty. for dbt.

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtors shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

4. [10-19330](#)-B-13 STEPHEN CHIN MOTION TO DISMISS CASE
MHM-3 8-28-15 [[71](#)]
MICHAEL MEYER/MV
M. ENMARK/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

5. [15-12132](#)-B-13 KEVIN/MACKENZIE FERREIRA CONTINUED OBJECTION TO
BHT-1 CONFIRMATION OF PLAN BY
CALIFORNIA HOUSING FINANCE CALIFORNIA HOUSING FINANCE
AGENCY/MV AGENCY
7-21-15 [[23](#)]

C. HUGHES/Atty. for dbt.
BRIAN TRAN/Atty. for mv.
DISMISSED

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

6. [15-11833](#)-B-13 LYNELL GLOVER
MHM-2

OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
9-18-15 [[35](#)]

STEPHEN LABIAK/Atty. for dbt.

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

7. [13-14541](#)-B-13 EMILIO RUIZ
MHM-1
MICHAEL MEYER/MV
ANDY WARSHAW/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
9-3-15 [[31](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

8. [13-14541](#)-B-13 EMILIO RUIZ
RS-1
EMILIO RUIZ/MV
ANDY WARSHAW/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN
9-18-15 [[39](#)]

This motion to confirm a modified chapter 13 plan will be denied without prejudice. The motion was not noticed for hearing in compliance with 11 U.S.C. §1324(b).

In addition, the record does not show that the debtor filed and served the proposed modified plan with the moving papers in compliance with Local Bankruptcy Rule 3015-1(c)(3) & (d)(1). No appearance is necessary..

9. [14-15042](#)-B-13 RANDA TARVIN
MHM-2
MICHAEL MEYER/MV
VARDUHI PETROSYAN/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.
WITHDRAWN

MOTION TO DISMISS CASE
9-15-15 [[72](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

10. [15-12349](#)-B-13 ANTHONY/KIMBERLY MIRELEZ
MHM-1
MICHAEL MEYER/MV
JEFFREY ROWE/Atty. for dbt.

MOTION TO DISMISS CASE
9-11-15 [[16](#)]

This motion to dismiss will be overruled without prejudice. The sole basis for the trustee's motion was the debtors' failure to set a motion to value the second deed of trust held by CitiMortgage, Inc. The debtors have now filed and set a motion to be held at a future date which appears to resolve that issue. The court will prepare and enter a civil minute order. No appearance is necessary.

11. [15-13250](#)-B-13 CHAD/GINA GORDON
MHM-1

OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
10-5-15 [[20](#)]

PETER BUNTING/Atty. for dbt.

12. [13-16653](#)-B-13 MARCUS CESENA
SL-1
MARCUS CESENA/MV
STEPHEN LABIAK/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN
8-17-15 [[42](#)]

This objection to confirmation of a chapter 13 plan will be overruled without prejudice. The debtor has withdrawn the plan. Within 14 days, the debtor shall file and serve a modified plan and set a confirmation hearing. The court will prepare and enter a civil minute order. No appearance is necessary.

13. [14-13666](#)-B-13 JOE/ROWENA GARCIA
FLG-4

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP,
P.C. DEBTORS ATTORNEY(S)
9-17-15 [[58](#)]

PETER FEAR/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

14. [15-11966](#)-B-13 SAMUEL FRANCO DELGADO AND
MHM-1 MARIA RODRIGUEZ DE FRANCO
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
9-15-15 [[36](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. This motion is based on Local Rule 3015-1(j) and (e), the debtors' failure to obtain an order valuing the second deed of trust on their residence. The debtors' motion to value the junior deed of trust was previously denied because the subject property was not identified in either the motion or the notice, and because the property identified in the respondent's proof of claim was not the same property identified in the debtors' petition or declaration. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

15. [15-12873](#)-B-13 CHANTELLE COLEMAN
WILMINGTON TRUST, NA/MV
PETER BUNTING/Atty. for dbt.
DANIEL FUJIMOTO/Atty. for mv.

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
WILMINGTON TRUST, NA
9-1-15 [[24](#)]

This matter will be continued to November 25, 2015, at 1:30 p.m., to be heard with the trustee's motion to dismiss the case and objection to the chapter 13 plan. No appearance is necessary.

16. [15-12873](#)-B-13 CHANTELLE COLEMAN
MHM-2
PETER BUNTING/Atty. for dbt.

OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
10-5-15 [[36](#)]

This matter will be rescheduled to November 25, 2015, at 1:30 p.m., to be heard with the trustee's motion to dismiss. No appearance is necessary.

17. [15-12078](#)-B-13 MANUEL/CAROLE CAMILO
MHM-1
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.

MOTION TO DISMISS CASE
9-21-15 [[55](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

18. [15-13779](#)-B-13 CHRISTOPHER NIEBLAS
FJA-1
CHRISTOPHER NIEBLAS/MV
FRANCISCO ALDANA/Atty. for dbt.

MOTION TO EXTEND AUTOMATIC STAY
10-2-15 [[8](#)]

19. [15-13779](#)-B-13 CHRISTOPHER NIEBLAS
FJA-2
CHRISTOPHER NIEBLAS/MV
FRANCISCO ALDANA/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
HOUSEHOLD FINANCE CORPORATION
OF CALIFORNIA
10-2-15 [[12](#)]

20. [15-13779](#)-B-13 CHRISTOPHER NIEBLAS
FJA-3
CHRISTOPHER NIEBLAS/MV
FRANCISCO ALDANA/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
PAN AMERICAN BANK
10-5-15 [[17](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

21. [15-12680](#)-B-13 DAVID BAER
MHM-2
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
9-21-15 [[38](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

22. [12-14382](#)-B-13 MARY GOULART
JMA-9
MARY GOULART/MV
JOSEPH ARNOLD/Atty. for dbt.

MOTION TO MODIFY PLAN
9-4-15 [[108](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

23. [13-14188](#)-B-13 VICENTE GUERRERO AND
ALG-2 BIBIANA LOPEZ-BUSTAMANTE
VICENTE GUERRERO/MV
JANINE OJI/Atty. for dbt.

MOTION TO MODIFY PLAN
9-8-15 [[82](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

24. [15-11896](#)-B-13 CHRISTINE WOODS
MHM-1
MICHAEL MEYER/MV
DAVID JENKINS/Atty. for dbt.

MOTION TO DISMISS CASE
9-11-15 [[44](#)]

25. [15-13939](#)-B-13 JOHN/DIANE URIAS
TCS-1
JOHN URIAS/MV
NANCY KLEPAC/Atty. for dbt.

MOTION TO IMPOSE AUTOMATIC STAY
10-8-15 [[8](#)]

26. [15-12244](#)-B-13 GENEVIEVE SANTOS
MHM-1
MICHAEL MEYER/MV
F. GIST/Atty. for dbt.

CONTINUED MOTION TO DISMISS
CASE
8-27-15 [[26](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. Based on the debtor's opposition, the hearing was continued from October 8, 2015, in order to give the debtor an opportunity to become current on plan payments. It appears from the evidence in the record that there is a material default in the plan payments that has not been cured and the trustee's motion has not been withdrawn. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

27. [15-13021](#)-B-13 JAMES/ANNETTE KROPP
MHM-1
MICHAEL MEYER/MV
ANDY WARSHAW/Atty. for dbt.

CONTINUED MOTION TO DISMISS
CASE
9-17-15 [[21](#)]

The chapter 13 trustee's motion to dismiss was fully noticed and there is no opposition. The motion is based on the debtors' failure to appear at the §341 meeting of creditors. This hearing was continued in order to provide the debtors with the opportunity to appear at their continued §341 meeting on October 13, 2015. The debtors did not appear and, accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.